

## UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen United States Courthouse  
Room 2722 - 219 S. Dearborn Street  
Chicago, Illinois 60604



Office of the Clerk  
Phone: (312) 435-5850  
[www.ca7.uscourts.gov](http://www.ca7.uscourts.gov)

## ORDER

Submitted June 25, 2020

Decided June 30, 2020

Before

JOEL M. FLAUM, *Circuit Judge*  
ILANA DIAMOND ROVNER, *Circuit Judge*  
AMY C. BARRETT, *Circuit Judge*

|  |   |
|--|---|
| No. 18-2834  | NATIONAL LABOR RELATIONS BOARD,<br>Petitioner<br><br>v.<br><br>PERKINS MANAGEMENT SERVICES COMPANY,<br>Respondent |
| <b>Originating Case Information:</b>                           |   |
| Agency Case No: 13-CA-210664<br>National Labor Relations Board |   |

The following is before the court: **PETITION OF THE NATIONAL LABOR RELATIONS BOARD FOR ADJUDICATION IN CIVIL CONTEMPT**, filed on April 24, 2020, by counsel for Petitioner.

On October 4, 2018, this court summarily entered judgment enforcing an order of the National Labor Relations Board against the respondent, Perkins Management Services Company. On April 24, 2020, the Board informed this court that the respondent had not complied with our judgment and petitioned for an adjudication in civil contempt. This court ordered Perkins to respond, and it did not. Nor did it respond to our order to show cause why the petition should not be granted by default. Accordingly,

**IT IS ORDERED** that the petition is **GRANTED** in part.

No. 18-2834

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The respondent, Perkins Management Services Company, is in contempt of our judgment dated October 4, 2018. In order to purge itself of the contempt,

**IT IS ORDERED** that the respondent must:

1. Fully comply with this court's October 4, 2018 judgment, enforcing the Board's order, which is attached to this order;
2. Fully furnish the Union, UNITE HERE, with all the information that it requested on September 15, 2017, except employees' social security numbers, by July 10, 2020;
3. Pay the Board reasonable costs and expenses incurred in this proceeding, including reasonable attorney's fees. The Board is directed to provide an accounting of its costs and attorneys' fees incurred in this proceeding by July 15, 2020; and
4. File a sworn statement with the clerk of this court by July 15, 2020, showing the steps it has taken to comply with this order.

**IT IS FURTHER ORDERED** that the respondent is fined \$20,000. This fine will be forgiven if the respondent purges itself of the contempt and files a sworn statement informing this court of its purge by August 31, 2020. *See Blankenship & Assocs., Inc. v. NLRB*, 54 F.3d 447, 450 (7th Cir. 1995). If the respondent does not comply, this court may grant the Board's request of a daily fine until the respondent has purged itself of the contempt.

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## FINAL JUDGMENT

October 4, 2018

Before  
DIANE P. WOOD, *Chief Judge*

|  |   |
|--|---|
| No. 18-2834  | NATIONAL LABOR RELATIONS BOARD,<br>Petitioner<br><br>v.<br><br>PERKINS MANAGEMENT SERVICES COMPANY,<br>Respondent |
| <b>Originating Case Information:</b>                           |   |
| Agency Case No: 13-CA-210664<br>National Labor Relations Board |   |

The following is before the court: **APPLICATION FOR SUMMARY ENTRY OF A JUDGMENT ENFORCING AN ORDER OF THE NATIONAL LABOR RELATIONS BOARD**, filed on August 23, 2018, by counsel for Petitioner.

**IT IS ORDERED** that the motion for summary enforcement is **GRANTED** and the attached judgement is **ENFORCED**.

UNITED STATES COURT OF APPEALS  
FOR THE SEVENTH CIRCUIT

NATIONAL LABOR RELATIONS BOARD

:

: No.

Petitioner

:

v.

:

: Board Case No.:

PERKINS MANAGEMENT SERVICES COMPANY

:

: 13-CA-210664

:

Respondent

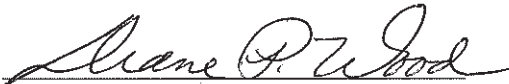
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JUDGMENT ENFORCING AN ORDER OF THE  
NATIONAL LABOR RELATIONS BOARD

Before:

This cause was submitted upon the application of the National Labor Relations Board for summary entry of a judgment against Respondent, Perkins Management Services Company, its officers, agents, successors, and assigns, enforcing its order dated July 19, 2018, in Case No. 13-CA-210664, reported at 366 NLRB No. 130, and the Court having considered the same, it is hereby

ORDERED AND ADJUDGED by the Court that the Respondent, Perkins Management Services Company, its officers, agents, successors, and assigns, shall abide by said order (See Attached Order and Appendix).

  
Judge, United States Court of  
Appeals for the Seventh Circuit

## NATIONAL LABOR RELATIONS BOARD

v.

## PERKINS MANAGEMENT SERVICES COMPANY

**ORDER**

Perkins Management Services Company, Chicago, Illinois, its officers, agents, successors, and assigns, shall

1. Cease and desist from
  - (a) Refusing to bargain collectively with UNITE HERE Local 1 (the Union) by failing and refusing to furnish it with requested information that is relevant and necessary to the Union's performance of its functions as the collective-bargaining representative of the Respondent's unit employees.
  - (b) In any like or related manner interfering with, restraining, or coercing employees in the exercise of the rights guaranteed them by Section 7 of the Act.
2. Take the following affirmative action necessary to effectuate the policies of the Act.
  - (a) Furnish to the Union in a timely manner the information requested by the Union on September 25, 2017, with the exception of employees' social security numbers.
  - (b) Within 14 days after service by the Region, post at its facility in Chicago, Illinois, copies of the attached notice marked "Appendix." Copies of the notice, on forms provided by the Regional Director for Region 13, after being signed by the Respondent's authorized representative, shall be posted by the Respondent and maintained for 60 consecutive days in conspicuous places, including all places where notices to employees are customarily posted. In addition to physical posting of paper notices, notices shall be distributed electronically, such as by email, posting on an intranet or an internet site, and/or other electronic means, if the Respondent customarily communicates with its employees by such means. Reasonable steps shall be taken by the Respondent to ensure that the notices are not altered, defaced, or covered by any other material. If the Respondent has gone out of business or closed the facility involved in these proceedings, the Respondent shall

duplicate and mail, at its own expense, a copy of the notice to all current employees and former employees employed by the Respondent at any time since September 25, 2017.

- (c) Within 21 days after service by the Region, file with the Regional Director for Region 13 a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply.



## APPENDIX

### NOTICE TO EMPLOYEES

POSTED PURSUANT TO A JUDGMENT OF THE UNITED STATES  
COURT OF APPEALS ENFORCING AN ORDER OF THE  
NATIONAL LABOR RELATIONS BOARD  
An Agency of the United States Government

The National Labor Relations Board has found that we violated Federal labor law and has ordered us to post and obey this notice.

**FEDERAL LAW GIVES YOU THE RIGHT TO**

Form, join, or assist a union

Choose representatives to bargain with us on your behalf

Act together with other employees for your benefit and protection

Choose not to engage in any of these protected activities.

WE WILL NOT refuse to bargain collectively with UNITE HERE Local 1 (the Union) by failing and refusing to furnish it with requested information that is relevant and necessary to the Union's performance of its functions as the collective-bargaining representative of our unit employees.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce you in the exercise of the rights listed above.

WE WILL furnish to the Union in a timely manner the information it requested on September 25, 2017, with the exception of employee social security numbers.

### PERKINS MANAGEMENT SERVICES COMPANY

The Board's decision can be found at [www.nlr.gov/case/13-CA-210664](http://www.nlr.gov/case/13-CA-210664) or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1015 Half Street, S.E., Washington, D.C. 20570, or by calling (202) 273-1940.

